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CON-WAY WESTERN EXPRESS, an
unincorporated component of CON-WAY
TRANSPORTATION SERVICES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTOPHER JOHNSON,

Plaintiff,

v.

CON-WAY WESTERN EXPRESS and
DOES 1 through 100 inclusive;

Defendant.

Case No.: C05-01687-JCS [E-filing]

**STIPULATION TO CONTINUE CASE
MANAGEMENT CONFERENCE AND
RELATED DEADLINES**

WHEREAS, the Case Management Conference in this matter is presently scheduled for September 2, 2005; and

WHEREAS, Defendant believes that Plaintiff's claims are subject to summary adjudication on the ground that they are barred by a six-month statute of limitations contained in his employment agreement; and

WHEREAS, although Plaintiff disagrees with Defendant's position, neither party wants to unnecessarily spend the resources of either the parties or the Court by engaging in initial disclosures and/or a CMC if this matter is, in fact, subject to summary disposition;

NOW, THEREFORE, the parties hereto stipulate as follows:

1. Defendant will file a motion for summary judgment of Plaintiff's Complaint

1 on or before September 2, 2005.

2 2. Defendant will set its motion for hearing as close to October 7, 2005 as the
3 Court's schedule will allow.

4 3. The parties will meet and confer and complete the initial disclosure process
5 within two weeks of the Court's issuance of an order denying Defendant's motion for summary
6 judgment in whole or in part.

7 4. The Case Management Conference presently scheduled for September 2,
8 2005, will be vacated and re-scheduled for mid-November 2005.

9 Dated: August 15, 2005

Marlene Muraco

MARLENE S. MURACO
LITTLER MENDELSON
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Attorneys for Defendant
CON-WAY WESTERN EXPRESS, an
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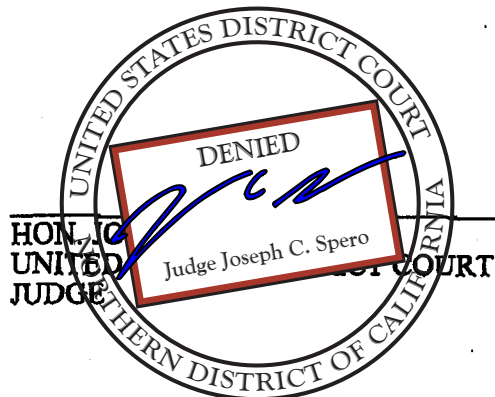
16 Dated: August 15, 2005

O. Ocean

O. OCEAN
Attorney for Plaintiff
CHRISTOPHER JOHNSON

21 ~~IT IS SO ORDERED:~~

22 Dated: August 16, 2005



27 Firmwide: 80322486.1 012187.1036